

On behalf of Westford's Board of Selectmen, I am writing in response to the April 10, 2014 letter, "Respect Westford Voters," to correct inaccuracies contained in the letter. Two assertions – that the Selectmen acted illegally and that the Separation Agreement entered into with the Town's former Fire Chief cost the taxpayers money – are untrue.

The letter asserts that the Selectmen illegally kept information from the public. The Selectmen understand and support the public's right to information under the Massachusetts Public Records law. However, we also recognize that our employees have a legal right to privacy with respect to their personnel records. This was a complex situation that required the Board to balance two competing laws, and, accordingly, the Board believed it was more important to get it right rather than to act quickly. Indeed, at the time of this matter, the law was unclear as to the public status of separation agreements, and the Governor was challenging their release in court.

Throughout the process, the Board consulted with labor counsel to be sure we were following the law. The matter was brought to the Secretary of State's office. The Secretary of State's office agreed with the Selectmen that much of the information contained in the management report was personnel-related and should be redacted. It ruled that the remainder of the information, including the Separation Agreement, should be released to the public. Upon receipt of the Secretary's ruling, the Board immediately complied.

The Board believes that the public has all the information that the Board can legally release. In addition, our employees can remain confident that their personnel records will stay confidential.

With regard to the cost, there was no net cost to the taxpayer. Chief Rochon's retirement created a vacancy that was not filled until several months later, so the taxpayers did not pay the salary for an open position during that time. Additionally, the new chief's salary is less than the prior chief's salary. These factors completely covered the cost of the separation agreement.

As noted above, this was a complicated situation. As the chief elected officials of the Town, we are charged to make decisions in accordance with the law and good public policy. The Selectmen acted in the best interests of the Town, the taxpayers, the citizens of Westford, the Fire Department, and our employees.

Andrea Peraner-Sweet, Chair
Westford Board of Selectmen